Application Number: 10/720,957 Attorney Docket: 33345/US/3

Reply to O.A. dated October 18, 2004

## THE CLAIMS

The listing of claims will replace all prior versions of claims in the application.

## **Listing of Claims:**

1. (Original) A soft gelatin capsule comprising:

Vitamin E as d- $\alpha$ -tocopherol;

Vitamin E as dl- $\alpha$ -tocopheryl;

Vitamin E mixed tocopherols; and

tocotrienols in the forms comprising inseparable tocopherols.

- 2. (Original) The soft gelatin capsule of claim 1 wherein said tocotrienols are in the forms  $\alpha$ ,  $\gamma$ ,  $\beta$ , and  $\delta$ , and said inseparable tocopherols are in the forms of  $\alpha$ ,  $\gamma$ ,  $\beta$ , and  $\delta$ , said tocotrienols and said tocopherols being from rice, whereby said formulation is beneficial for antioxidant protection of cells in the human body containing a lipid layer membrane.
- 3. (Original) The soft gelatin capsule of claim 1 wherein said tocotrienols are in the forms  $\alpha$ ,  $\gamma$ ,  $\beta$ , and  $\delta$ , and said inseparable tocopherols are in the forms of  $\alpha$ ,  $\gamma$ ,  $\beta$ , and  $\delta$ , said tocotrienols and said tocopherols being from palm, whereby said formulation is beneficial for antioxidant protection of cells in the human body containing a lipid layer membrane.
- 4. (Original) The soft gelatin capsule of claim 1 wherein said Vitamin E mixed tocopherols are in the forms  $\alpha$ ,  $\gamma$ ,  $\beta$ , and  $\delta$  and are a blend of synthetic and natural sources of Vitamin E.
- 5. The soft gelatin capsule of claim 1 wherein said Vitamin E dl-α-(Original) tocopheryl is present at about 90 weight % of said active ingredients.

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6. (Original) The soft gelatin capsule of claim 1 wherein said Vitamin E mixed tocopherols are present at about 5 weight % of said active ingredients.

- 7. (Original) The soft gelatin capsule of claim 1 wherein said tocotrienols from natural sources are present at about 5 weight % of said active ingredients.
- 8. (Original) A soft gelatin capsule comprising a 400 IU once daily dose comprised of:

Vitamin E selected from at least one of the ester group consisting of:

dl- α-tocopheryl acetate; and

dl- α-tocopheryl succinate;

Vitamin E as d- $\alpha$ -tocopherol;

Vitamin E mixed tocopherols in the forms  $\alpha$ ,  $\beta$ ,  $\gamma$ , and  $\delta$ ;

tocotrienols in the forms  $\alpha$ ,  $\beta$ ,  $\gamma$ , and  $\delta$ .

- 9. (Original) The soft gelatin capsule of claim 8 wherein said Vitamin E as dl- $\alpha$ -tocopheryl ester, said Vitamin E as d- $\alpha$ -tocopherol, and said Vitamin E mixed tocopherols in the forms  $\alpha$ ,  $\beta$ ,  $\gamma$ , and  $\delta$  is a blend of synthetic and natural sources of Vitamin E, and said tocotrienols are from a natural source.
- 10. (Original) The soft gelatin capsule of claim 8 wherein said Vitamin E as dl- $\alpha$ -tocopheryl ester is present at from 5 mg to 400 mg.
- 11. (Original) The soft gelatin capsule of claim 8 wherein said Vitamin E as  $d-\alpha$ -tocopherol is present at from 5 mg to 400 mg.
- 12. (Original) The soft gelatin capsule of claim 8 wherein said Vitamin E as mixed tocopherols is present at from 5 mg to 200 mg.

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13. (Original) The soft gelatin capsule of claim 8 wherein said Vitamin E as mixed to cotrienols in the forms  $\alpha$ ,  $\beta$ ,  $\gamma$ , and  $\delta$  is present at from 5 mg to 50 mg with variable composition of isomers:

α tocotrienol at 1 to 30%;
β tocotrienol at 0.1 to 30%;
γ tocotrienol at 1 to 30%; and
δ tocotrienol at 0.1 to 30%.

14. (Original) The soft gelatin capsule of claim 13 comprising: inseparable variable content of carotenoids comprising:

alpha carotene;
beta carotene;
gamma carotene;
lycopene; and
phytosterols and squalene.

15. (Original) The soft gelatin capsule of claim 8 comprising:
a marker selected from at least one of the group consisting of:

a marker selected from at least one of the group consisting coenzyme Q10; rosemary oil; green tea;

α lipoic acid;

lycopene;

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grape seed extract;
pine bark extract;
vitamin C;
natural beta carotene;
synthetic beta carotene;

γ-oryzanol;

selenium; and

lutein.

16. (Original) A soft gelatin capsule comprising:

Vitamin E selected from at least one of the ester group consisting of:

dl-α-tocopheryl acetate; and

dl-α-tocopheryl succinate;

Vitamin E as d- $\alpha$ -tocopherol;

Vitamin E mixed tocopherols in the forms  $\alpha$ ,  $\beta$ ,  $\gamma$ , and  $\delta$ ; and tocotrienols in the forms  $\alpha$ ,  $\beta$ ,  $\gamma$ , and  $\delta$ .

- 17. (Original) The soft gelatin capsule of claim 16 wherein said Vitamin E as dl- $\alpha$ -tocopheryl ester, said Vitamin E as d- $\alpha$ -tocopherol, and said Vitamin E mixed tocopherols in the forms  $\alpha$ ,  $\beta$ ,  $\gamma$ , and  $\delta$  is a blend of synthetic and natural sources of Vitamin E, and said tocotrienols are from a natural source.
- 18. (Original) The soft gelatin capsule of claim 16 wherein said Vitamin E as dl- $\alpha$ -tocopheryl ester is present at from 5 mg to 2000 mg.

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19. (Original) The soft gelatin capsule of claim 16 wherein said Vitamin E as d- $\alpha$ -tocopherol is present at from 5 mg to 2000 mg.

20. (Original) The soft gelatin capsule of claim 16 wherein said Vitamin E as mixed tocopherols is present at from 5 mg to 2000 mg.

21. (Original) The soft gelatin capsule of claim 16 wherein said Vitamin E as mixed tocotrienols in the forms  $\alpha$ ,  $\beta$ ,  $\gamma$ , and  $\delta$  is present at from 5 mg to 500 mg with variable composition of isomers:

α tocotrienol at 1 to 30%;

 $\beta$  tocotrienol at 0.1 to 30%;

γ tocotrienol at 1 to 30%; and

 $\delta$  to cotrien of at 0.1 to 30%.

22. (Original) The soft gelatin capsule of claim 16 wherein said Vitamin E as dl- $\alpha$ -tocopheryl ester, said Vitamin E as d- $\alpha$ -tocopherol, and said Vitamin E mixed tocopherols in the forms  $\alpha$ ,  $\beta$ ,  $\gamma$ , and  $\delta$  is a blend of synthetic and natural sources of Vitamin E, and said tocotrienols are from a natural source.

23. (Original) The soft gelatin capsule of claim 16 wherein said formulation is formed in a soft gel capsule further comprising:

gelatin;

glycerin; and

water for said soft gelatin formulation.

24. (Original) The soft gelatin capsule of claim 16 comprising: a marker selected from at least one of the group consisting of:

coenzyme Q10;

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rosemary oil;
green tea;
α lipoic acid;
lycopene;
grape seed extract;
pine bark extract;
vitamin C;
natural beta carotene;
synthetic beta carotene;
γ-oryzanol;

25. (Canceled)

lutein.

selenium; and